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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/178,463 01/06/94 WILSON

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W 20264034US1

EXAMINER

GOLDBERG, J

ART UNIT

PAPER NUMBER

1205

DATE MAILED:

07/28/95

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 6/26/95 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 2 month(s), — days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- |                                                                                     |                                                                                   |
|-------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892.        | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.             | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/>                                                       |

**Part II SUMMARY OF ACTION**

1. ☒ Claims 15 <sup>13</sup> pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2. ☐ Claims \_\_\_\_\_ have been cancelled.

3. ☒ Claims 15 <sup>13</sup> are allowed.

4. ☐ Claims \_\_\_\_\_ are rejected.

5. ☐ Claims \_\_\_\_\_ are objected to.

6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).

12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13. ☒ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

**EXAMINER'S ACTION**

Ser. No.08/178,463

March 1, 1995 interview discussion draft w/Jerry Goldberg

Present for the NIH:

Jim Haight, attorney of record

Dr. Rafe Kantor, Technology Licensing Specialist

Dr. Wyndham Wilson, co-inventor

IN THE SPECIFICATION:

Delete all references to treating lymphoma (specify in amendment).

IN THE CLAIMS:

Cancel claims 3, 4, and 7 - 14 and add the following new claim:

15. <sup>IN</sup> A method of treating a patient suffering from ~~breast~~ cancer, which comprises:

a) intravenously infusing taxol into a patient at a continuous dosage rate of between 17.5 and 35 milligrams of taxol per square meter of patient surface area per 24 hours to infuse between 70 and 140 milligrams of taxol per square meter of patient surface area into said patient over a period of 96 hours; and

b) repeating said method in 21 day cycles until remission of the patient's ~~breast~~ cancer is attained.

W173 Taxol,  
TDE IMPROVEMENT